

FAX Transmission Sheet
BURR & BROWN
Intellectual Property Practice

RECEIVED
CENTRAL FAX CENTER

FEB 03 2005

101 South Salina Street, 7th Floor
Syracuse, New York 13202

Telephone: (315) 233-8300
Facsimile: (315) 233-8320

OFFICIAL BUSINESS

Date: February 3, 2005

To: Examiner: Christopher L. Chin
Art Unit: 1641

Fax No.: 703-872-9306

From: Kevin C. Brown

Subject: U.S. Application Ser. No. 10/798,857
Filed: March 11, 2004
Conf. No.: 7179
Title: METHOD FOR DETECTING THE PRESENCE OF A SINGLE
TARGET NUCLEIC ACID IN A SAMPLE

Our Ref.: 832_001 DIV3

You should receive 9 page(s) including this cover sheet. If you do not receive all pages, please call (315) 233-8300.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following paper(s) is/are being facsimile transmitted to 703-872-9306 at the Patent and Trademark Office on February 3, 2005:

• Amendment Transmittal (in duplicate)	<u>2</u> pages
• Preliminary Amendment (pages 1-6)	<u>6</u> pages
• This Cover Sheet	<u>1</u> page


Janet M. Stevens

Total Pages
9

IMPORTANT - THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT READING, DISSEMINATING, DISTRIBUTING OR COPYING THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND DESTROY THE COMMUNICATION. THANK YOU.

BURR & BROWN

PATENT AMENDMENT TRANSMITTAL (Provisions of 37 CFR 1.136 Apply)				RECEIVED CENTRAL FAX CENTER
Application Number	10/798,857	Filing Date	March 11, 2004	FEB 03 2005
Group Art Unit	1641	Examiner Name	Christopher L. Chin	
Confirmation No.	7179	Attorney Docket No.	832_001 DIV3	
Inventor(s)	James F. Brown			
Invention:	METHOD FOR DETECTING THE PRESENCE OF A SINGLE TARGET NUCLEIC ACID IN A SAMPLE			

Transmitted herewith is an Amendment in the above-identified application. The fee has been calculated as follows:

CLAIMS AS AMENDED

(1)	(2) Claims Remaining After Amendment	(3)	(4) Highest Number Previously Paid	(5) No. of Extra Claims Present	(6) Rate (Large Entity)	(7) Additional Fee
TOTAL CLAIMS	8	MINUS	20	0	\$50.00	\$00.00
INDEP. CLAIMS	4	MINUS	4	0	\$200.00	\$00.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$00.00

EXTENSION OF TERM

- ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
- ☐ This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application. The requested extension and appropriate non-small entity fee are as follows:
- ☐ One Month (37 CFR 1.17(a)(1)) \$120.00
 - ☐ Two Month (37 CFR 1.17(a)(2)) \$450.00
 - ☐ Three Month (37 CFR 1.17(a)(3)) \$1,020.00

TOTAL FEES DUE

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount is reduced by one-half, and the resulting fee is:

FEE PAYMENT

- ☒ No additional fee is required. ☐ A check in the amount of \$_____ is enclosed.
- ☐ Charge Deposit Account 50-1446 in the amount of \$. Enclosed is a duplicate copy of this sheet.
- ☒ Please charge any fees which may be required, or credit any overpayment, to Deposit Account 50-1446.

Submitted By:					
Name (Print Type)	Kevin C. Brown	Reg. No.	32,402	Customer No.	025191
		Telephone	(315) 233-8300	Facsimile	(315) 233-8320
Signature	<i>Kevin C. Brown</i>	Date	February 3, 2005		

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on February 3, 2005 at 703-872-9306.

Janet M. Stevens
Janet M. Stevens

PATENT AMENDMENT TRANSMITTAL (Provisions of 37 CFR 1.136 Apply)			
Application Number	10/798,857	Filing Date	March 11, 2004
Group Art Unit	1641	Examiner Name	Christopher L. Chin
Confirmation No.	7179	Attorney Docket No.	832_001 DIV3
Inventor(s)	James F. Brown		
Invention:	METHOD FOR DETECTING THE PRESENCE OF A SINGLE TARGET NUCLEIC ACID IN A SAMPLE		

Transmitted herewith is an Amendment in the above-identified application. The fee has been calculated as follows:

CLAIMS AS AMENDED

(1)	(2) Claims Remaining After Amendment	(3)	(4) Highest Number Previously Paid	(5) No. of Extra Claims Present	(6) Rate (Large Entity)	(7) Additional Fee
TOTAL CLAIMS	8	MINUS	20	0	\$50.00	\$00.00
INDEP. CLAIMS	4	MINUS	4	0	\$200.00	\$00.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$00.00

EXTENSION OF TERM

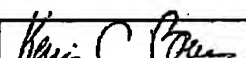
- ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
- ☐ This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application. The requested extension and appropriate non-small entity fee are as follows:
- | | | |
|----------------------------------------------------------|------------|--|
| <input type="checkbox"/> One Month (37 CFR 1.17(a)(1)) | \$120.00 | |
| <input type="checkbox"/> Two Month (37 CFR 1.17(a)(2)) | \$450.00 | |
| <input type="checkbox"/> Three Month (37 CFR 1.17(a)(3)) | \$1,020.00 | |

TOTAL FEES DUE

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount is reduced by one-half, and the resulting fee is:

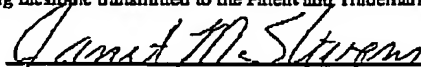
FEE PAYMENT

- ☒ No additional fee is required. ☐ A check in the amount of \$_____ is enclosed.
- ☐ Charge Deposit Account 50-1446 in the amount of \$. Enclosed is a duplicate copy of this sheet.
- ☒ Please charge any fees which may be required, or credit any overpayment, to Deposit Account 50-1446.

Submitted By:					
Name (Print Type)	Kevin C. Brown	Reg. No.	32,402	Customer No.	025191
		Telephone	(315) 233-8300	Facsimile	(315) 233-8320
Signature				Date	February 3, 2005

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on February 3, 2005 at 703-872-9306.


Janet M. Stevens

Practitioner's Docket No.: 832_001 DIV3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED
CENTRAL FAX CENTER**

FEB 03 2005

In re the application of: James F. Brown

Ser. No.: 10/798,857

Group Art Unit: 1641

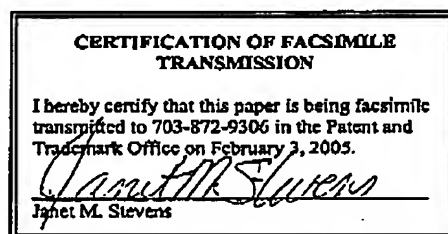
Filed: March 11, 2004

Examiner: Christopher L. Chin

Confirmation No.: 7179

For: METHOD FOR DETECTING THE PRESENCE OF A SINGLE TARGET NUCLEIC
ACID IN A SAMPLE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



PRELIMINARY AMENDMENT

Sir:

Prior to examination, please amend the subject application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page
2 of this paper.

Remarks/Arguments begin on page 6 of this paper.